

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/28/2009 has been entered.

In the submission, the Applicant amended claims 1, 3- 6, 9, 12- 14, 16- 18, 20 and 21. Currently claims 1, 3-10, 12-14 and 16-21 are pending.

## EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney for the Applicants, Frederick Handren on 9/2/2009.

The application has been amended as follows:

- **Claim 1** Line 6: please delete "or drive voltages"
- **Claim 3** Line 6: please delete "or drive voltage values"

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- **Claim 3** Line 9: please delete “or drive voltages”  
Line 10: please delete “or drive voltage values”  
Line 17: please delete “or drive voltage values”
- **Claim 4** Line 7: please delete “or drive voltages”
- **Claim 5** Line 8: please delete “or drive voltages”
- **Claim 6** Line 7: please delete “or drive voltages”
- **Claim 9** Line 6: please delete “or drive voltages”
- **Claim 12** Line 6: please delete “or drive voltages”
- **Claim 13** Line 11: please delete “or drive voltages”
- **Claim 16** Line 16: please add a comma after the word “memory”  
Line 17: please replace the comma with a semi-colon after the word  
“current”  
Line 18: please delete “or drive current values for temperatures,”
- **Claim 17:** Please CANCEL
- **Claim 18** Line 14: add a comma after the word “colors”  
Line 15: please delete “temperature or”  
Line 15: please add “temperature stored in the setting registers,  
based on” after “data for”  
Lines 17-18: please delete “based on the values that are provided  
into the setting registers”  
Line 18: please delete “being expressed” and replace with  
“expressing”

- **Claim 18** Line 19: please add the word “a” after the word “as”  
Line 20: please delete “is” and replace with “are”
- **Claim 20** Line 8: please delete “being expressed” and replace  
with “expressing”  
Line 19: please add the word “a” after the word “as”
- **Claim 21** Line 6: please delete “or drive voltages”

***Allowable Subject Matter***

**3. Claims 1, 3-10, 12-14, 16 and 18-21** allowed.

Regarding independent claims 1, 3, 4, 5, 6, 9, 12, 13, 14, 16, 17, 18, 20 and 21, the prior art of record does not disclose a that a chromaticity of a mixed light emitted from the light emitting apparatus is kept constant for temperatures variation, and the drive current value of one light emitting element is kept constant for temperature variation, and the drive current value of another light emitting element is adjusted based on a relation between temperature and current.

The dependent claims 7, 8, 10 and 19, are allowed for at least the same reason indicated above.

Gunter et al. in US 7,067,995 teach an LED display (Fig. 1) where the PWM of a current is adjusted linearly according to temperature (Fig. 5) but fail to teach keeping the drive current value constant for one of the LEDs with temperature variation as required in the instant claims.

Muthu in US 6,411,046 teaches an LED display (Fig. 1) where the lumens are varied as a function of temperature (Fig. 5) but fails to teach keeping the drive current value constant for one of the LEDs with temperature variation as required in the instant claims.

Nor does any other prior art disclose this feature suggest a reason for keeping one of the drive currents constant with temperature variation.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LILIANA CERULLO whose telephone number is (571)270-5882. The examiner can normally be reached on Monday to Thursday 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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Customer Service Representative or access to the automated information system, call  
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. C./

Examiner, Art Unit 2629

/Amr Awad/

Supervisory Patent Examiner, Art Unit 2629